

STATE OF INDIANA)

COUNTY OF ALLEN)

CLERK
AND ALLEN CIRCUIT
SUPERIOR COURT
IN THE ALLEN COUNTY CIRCUIT COURT
) SS: SEP-2 2004
) AVC NO. _____

02C01-0409-PL-108.68

IN RE: STEVE & TRAVIS ENTERPRISES, INC.,)
doing business as, Platinum Auto Group,)
)
Respondent.)

MISC. DOCKET NO. _____

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Mary Ann Wehmuehler, and the Respondent, Steve & Travis Enterprises, Inc., enter into an Assurance of Voluntary Compliance (Assurance) pursuant to Indiana Code §24-5-0.5-7.

Any violation of the terms of this Assurance constitutes prima facie evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law and upon consent of the parties.

The parties agree:

1. Respondent is an Indiana corporation engaged in the sale of used motor vehicles in Allen County, with a principal place of business at 6020 SR 930, Fort Wayne, Indiana.

2. The terms of this Assurance apply to and are binding upon Respondent, its employees, agents, representatives, successors, and assigns.

3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Office of the Attorney General to investigate matters hereinafter described, pursuant to the authority of Ind. Code §4-6-9-4 and Ind. Code §24-5-0.5-1 *et seq.*

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4. Respondent will refrain from making and shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, that it will pay-off trade vehicle liens for consumers, unless Respondent pays off the liens as represented.

5. Respondent will refrain from making and shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, regarding its ability to deliver certificates of title for motor vehicles to vehicle purchasers unless Respondent actually intends to provide and, in fact, provides purchasers with motor vehicle certificates of title as represented.

6. Respondent will immediately comply with all provisions of Ind. Code §9-17-3-3, including but not limited to:

- a. endorsing the certificate of title for a vehicle which is sold or has ownership transferred by Respondent;
- b. delivering the endorsed certificate of title to the purchaser or transferee at the time of sale or delivery;
- c. if the conditions under Ind. Code §9-17-3-3(a)(4)(A-E) are met, delivering the endorsed certificate of title to the purchaser or transferee within twenty-one (21) days after the date of sale.

7. Respondent will immediately comply with all provisions of Ind. Code §9-18-26-10 and 140 IAC 3.5-2-15, including but not limited to, issuing no more than one interim license plate to a motor vehicle purchaser.

8. Upon execution of this Assurance, Respondent shall forward a restitution check in the amount of \$5,093.25 payable to the Office of the Attorney General, to the Consumer Protection Division. This amount represents restitution for Jessica Meynardie,

5024 Rd. 33, Payne, Ohio, for the pay-off of her 1996 Pontiac Grand Am, VIN,
1G2NE12T8TM561648, trade vehicle.

9. Respondent shall not represent that the Office of the Attorney General approves or endorses Respondent's past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

10. Respondent shall fully cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives.

11. The Office of the Attorney General shall file this Assurance with the Circuit Court of Allen County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

DATED this _____ day of _____, 2004.

STATE OF INDIANA

RESPONDENT

STEVE CARTER
Attorney General of Indiana

STEVE & TRAVIS ENT., INC.

By: MA Wehmüller (MKR)
Mary Ann Wehmüller
Deputy Attorney General
Atty. No. 15251-49A
Office of Attorney General
302 W. Washington, 5th Floor
Indianapolis, Indiana 46204
Doc. 173817

TRAVIS DICKS
(name)
TRAVIS DICKS
(printed name)
President
(title)

APPROVED this 15 day of November, 2004.

Thomas J. Felton MKL
Judge, Allen County Circuit Court